

**DEPARTMENT OF STATE REVENUE**

**LETTER OF FINDINGS NUMBER: 00-0334**

Adjusted Gross Income Tax  
For Calendar Year 1997

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**ISSUE(S)**

I. **Tax Administration**—Penalty

**Authority:** IC 6-8.1-10-2.1(d); 45 IAC 15-11-2

Taxpayer protests the penalty assessed.

**STATEMENT OF FACTS**

Taxpayer failed to timely file its Indiana income tax return for the tax year ending December 31, 1997. The department issued a penalty billing.

I. **Tax Administration**—Penalty

**DISCUSSION**

Taxpayer, at hearing, states that the company did not make money, did not owe income tax, and is now out of business.

Based upon the above information, taxpayer requests that the penalty be waived.

Taxpayer failed to timely file its IT20-S return for calendar year 1997.

IC 6-8.1-10-2.1(g) states:

A person who fails to file a return for a listed tax that shows no tax liability for a taxable year, other than an information return (as defined in section 6 of this chapter), on or before the due date of the return

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shall pay a penalty of ten dollars (\$10) for each day that the return is past due, up to a maximum of two hundred fifty dollars (\$250).

Taxpayer failed to file its return timely. The department finds that a negligence penalty is proper.

**FINDING**

Taxpayer's protest is denied.

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